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EXHIBIT AIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ) Group Art Unit: 1745  
BREAUT, Richard D. ) Examiner: CANTELMO, Gregg  
Serial No. 10/612,688 ) Filed: 07/02/2003  
For: PASSIVE WATER MANAGEMENT )  
SYSTEM FOR A FUEL CELL ) Atty. Docket No. C-2765  
POWER PLANT )

DECLARATION UNDER RULE 1.132

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Richard D. Breault, being the Applicant in the above referenced application declares as follows:

1. I am one of the joint inventors of U.S. Patent 6,794,077 that issued on September 21, 2004.

2. U.S. Patent 6,794,077 includes subject matter that I invented that is disclosed but that is not claimed in that patent.

3. Subject matter that I invented that is disclosed but not claimed in U.S. Patent 6,794,077 includes:

a passive water management system comprising at least one fuel cell including an anode fuel flow plate and an oxidant flow plate defined adjacent opposed sides of an electrolyte, an anode water management flow field defined adjacent the anode fuel flow field including at least one fuel path between a fuel inlet and fuel outlet for directing the fuel to flow adjacent to the electrolyte from the fuel inlet to the fuel outlet; a cooler plate

secured in heat exchange relationship with the fuel cell for removing heat from the fuel cell, the cooler plate including at least one coolant path defined between a coolant inlet and a coolant outlet for directing a cooling fluid to flow from the coolant inlet through the coolant path to the coolant outlet, wherein a width of the fuel path is about the same as a width of the coolant path where the paths are closest to each other and the fuel path substantially overlies the coolant path extending between the inlets and outlets to minimize a temperature differential between the fuel flowing through the fuel path and the closest coolant flowing through the coolant path.

4. The inventorship of the above referenced patent application is correct in identifying the undersigned declarant as the sole inventor. The invention described above in paragraph 3 that was disclosed in U.S. Patent 6,794,077 but not claimed in that Patent was derived from the undersigned declarant, who is the inventor of the subject matter claimed in the above referenced patent application.

The declarant hereby declares that all statements made herein of the declarant's own knowledge are true and that all statements made on information and belief are believed to be true. The declarant further states that the above statements were made with the full knowledge that willful false statements and the like are punishable by fine and/or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statements may jeopardize the validity of this application or any patent resulting therefrom.

Richard D. Breault  
RICHARD D. BREAULT

Date: March 31, 2005